

KENTUCKY GAZETTE

AND GENERAL ADVERTISER.

VOL XX.—N° 1091.]

BY DANIEL BRADFORD LEXINGTON.

MONDAY, NOVEMBER 10, 1806.

TERMS OF THE GAZETTE.

THIS paper is published twice a week, at Three Dollars and a half per annum, paid in advance, or Four Dollars at the end of the year.

Those who write to the Editor, must pay the postage of their letters.

WEISIGER'S TAVERN,
Frankfort, Kentucky.

The Subcriber, respectfully informs the public, that he has taken the shop adjoining Mr. P. Bain's house, where he still continues the

Painting and Gilding Business,
Molding, making, and framing of
Looking Glasses;
Gilt Picture Frames.

He will also have an elegant assortment of
EARTHEN WARE.

W. Mentelle.

May 20, 1806.

A VALUABLE FARM FOR SALE,

147 1/4 Acres of land, whereinon there is, of a superior quality, about one mile from Lexington on the road leading to Cynthiana. It has on it a very convenient two story house, with three rooms below and three above, with three brick chimneys; a kitchen, smoke house, negro house, barn and stable room for 15 horses, an apple orchard of 50 old trees, and about 150 of young trees, all of excellent fruit. It is well watered with never-failing springs, and a stream runs through it sufficient to turn a mill at least six months in the year with 17 feet fall, about 50 or 60 acres cleared, about 20 acres in meadow, 3 lots of clover and blue grass, the whole under an excellent fence, the balance well timbered, and a large portion of excellent meadow ground—also, a flock of hawks, crows and hogs, and will give seven years credit to the purchaser.

M. SAUTERWHITE.

September 3, 1806.

RICHARD D.

RESPECTFULLY informs his friends and the publick, that he has opened a

House of Entertainment,

in that large and commodious brick-house lately occupied by Mr. John Justice, in Frankfort, where he is supplied with the best of liquors and provisions of every kind. His stable is well furnished with forage, and an attentive waiter. From the arrangements made to accommodate his visitors, and the attention that will be paid them, he flatters himself he will share the publick favour.

Frankfort, October 24, 1805.

FOR SALE,

A very excellent WAGGON, with five Geers and the fifth chain, in complete order. Enquire of the printer.

STRAYED OR STOLEN.

FROM the farm of the subscriber, on Monday the 29th of September last a

SORREL HORSE, nearly fifteen hands high, about 9 years old, has spur, some saddle marks, and a small lump on one of his thighs, no brands recollect. Any person delivering said horse to the subscriber, shall be rewarded.

GEO. TEGARDEN.

October 15, 1806. 3w

NOTICE.

IS hereby given, to all whom it may concern, to forewarn any person from taking an assignment or title to a piece of land, entered in the name of Charles Morehead, and patented to the same, of 203 acres, in Montgomery county, as I purchased the same of him, and paid for the same sometime about the year 1801, and some time after that time he died, and his representatives refuse to make a title to me for the same.

Weathers Smith Sen.

October 14, 1806. 3w

NOTICE.

IS hereby given, to all whom it may concern, to forewarn any person from taking an assignment or title to a piece of

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Edmd. & Anderson Searey.

October 16, 1806.

TEN DOLLARS REWARD.

RAN AWAY from the subscriber, living on the waters of the Town fork of Elkhorn, Fayette county, on Sunday night the 12th inst. a negro woman named

PATT,

about nineteen years of age, five feet seven or eight inches high, slender made, has a scar I think on the upper part of her breast; had on and took with her a black bonnet, an old hat, a white ground calico habit patched with a different kind, a calico short-gown, a white linen petticoat, flounced, a blue do, a blue blanket sewed up like a bag and a pair of the fives of boots. The said negro I bought the 20th of last month, the property of George Benson, of Pendleton county. The above reward will be given to any person who will deliver the same to me, or five dollars if secured in any jail so that I may get her again.

Jacob McConathy.

October 20, 1806.

WILL BE SOLD

IN Lexington, on the 25th of November, the full bred horses

ALBERT and REGULUS,

raised by Col. John Hobson of Virginia,

for which a long credit will be allowed, by giving bond with approved securities. The terms to be made known fully on the day of sale.

WILLIAM HOSKINS.

Oct. 30.

A COURSE of Lectures on the Theory and Practice of

MEDICINE,

at the Transylvania University, will

commence on the third Monday of the present month.

JAS. FISHBACK, P. M.

October 3, 1806.

BLANKS

For Sale at this Office.

WILLIAM HOSKINS.

Oct. 30.

COPPERPLATE COPIES,

For sale at the office of the Kentucky Gazette.

John Lowrey.

Lexington, September 23, 1806.

FOR SALE FOR CASH,

A Likely Young Negro Man.

That is active, strong and healthy. En-

quire at this office.

July 26, 1806.

JOHN DOWNING;

RESPECTFULLY informs his friends and the publick in general, that he continues to keep a house of

ENTERTAINMENT, in that commodious frame house, on Main Street, opposite the Court house, at the sign of

THE BUFFALOE;

where he is prepared to accommodate Travellers, and others who may please to call on him, in the best manner.

He is well provided with a variety of the best liquors, his Bed-

ding and other accommodations will be furnished equal to any in the Western Country. His Stable is well supplied with Hay, Oats, and Corn, and his Cattle particularly at-

tentive, and careful. Those who

are so obliging as to call on him, may rest assured that they shall receive

the greatest attention, and every ex-

ertion will be made to make their

situation agreeable. Private par-

ties may be accommodated with-

a room undisturbed by the bustle of a

tavern.

Lexington, April 29.

FOR SALE,

A LIKELY young NEGRO WOMAN,

well acquainted with house work—en-

sured by the Printer.

1st August, 1806.

WILLIAM DORSEY,

WISHES to inform his friends and

the publick, that he has opened a

House of Entertainment,

in that large and commodious brick-house lately

occupied by Mr. John Justice, in Frankfort,

where he is supplied with the best of liquors

and provisions of every kind. His stable is

well furnished with forage, and an attentive

waiter. From the arrangements made to accom-

modate his visitors, and the attention that will

be paid them, he flatters himself he will share

the publick favour.

Lexington, April 16, 1806. 6m.

NOTICE.

WHEREAS we made a contract with John Jordan Junr. of Lexington bearing date, 1st day of April 1806, for

plantation near said town of Lexington, for which we were to pay in slaves and whiskey; not less than \$2,000 slaves, nor less than 2,000 gallons of whiskey, to be paid in Orleans &c. on the 1st day of May 1807, and the balance on the 1st day of May 1808. In the same way, before which time, the said John Jordan Jr. is bound to make us a clear and indispu-

table title to the aforesaid plantation.

And whereas a certain Jacob Clair, of

said town, holds a mortgage on said

plantation, for 2,540 dollars, a much lar-

ger sum than was contemplated in said

contract, and for certain reasons which

we explained to the said John Jordan Jr.

we did on the 4th inst. call on him to

give us security, that he would convey to

us to the said plantation agreeable to

contract, or rescind and make void the

same, notwithstanding we had progressed

largely in the preparation for payment;

but he refused, and still refuses to do ei-

ther. We therefore give notice to the

said John Jordan Jr. that we shall de-

fer the contract, and leave him his plan-

ation without ever possessing it, and to

the publick to take no assignment on the

aforesaid contract, as we are determined

to comply with no part thereof unless

compelled by law, under the aforesaid

circumstances.

Edmd. & Anderson Searey.

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Lexington, October 16, 1806.

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calico habit patched with a different

FOR THE KENTUCKY GAZETTE.

FRANKLIN—No. VI.

FELLOW CITIZENS,

HAVING endeavored to place before you the real authors of the calumnies so plentifully strewed in the Western World, and contrasted the characters of the accused with the accusers. I had determined to pursue with as much regularity as possible, the several parts of the evidence exhibited to establish the fact of a conspiracy to alienate us to Spain, but the unblushing effrontery and weakness of the Editors of the tale of slander, seem'd to render it proper to take some slight notice of the attempt to induce the public to believe that Mr. Brown has descended to write his own panegyric, under the signature of Franklin. If it could be necessary seriously to meet this more than puerile evidence of malice to Mr. Brown, it could only be proper to request a reperusal of the defence set up, by the author of those pieces. It may not be improper to assure the public, that no one of those persons who are implicated in this ridiculous tale of conspiracy, ever saw or read one line of those essays, nor had it in his power to anticipate one sentiment of the author, until the publication appeared in the newspaper. The publication, is the voluntary offering of a man, who, conscious of the rectitude of his own conduct & intentions amidst the various trying scenes through which our infant country has passed, is fearless of the united malice of the patrons of the Western World, and equally despises the envenomed and profligate quill of the renegado Wood, with the terrific stiletto of the contemptible Drancansir, his associate. The excessive wanderings and vacancy of thought discovered in the late numbers of the Western World, affords the most unequivocal proof of the truth of the adage, "that dying men will ever catch at straws," and ought to furnish a melancholy memento to its patrons, that the spirit of even Wood and Street, is fast evaporating to its dissolution, in a caule so deeply bafe. If the author of "Franklin" could flatter himself that his efforts would be instrumental in rescuing the characters of men of worth and innocence from the merciless fangs of an unrelenting and malicious few, he would be content to bear with the eternal hatred of those enemies to every honest man. The public might have expected from the trumpeted talents of Wood, that he possessed a mind capable of research into his favorite pursuit of conspiracies and treason, but he appears to furnish a mournful proof, that a wicked and depraved heart is seldom, if ever accompanied with a strength of mind correspondent with its depravity. Where corruption has compleatly destroyed the finer faculties of the mind, we uniformly discover its efforts, altho' falsely brilliant, are feeble and superficial. The want of materials will no doubt perplex the most ingenious writer, but he will at least be capable of substituting in an handsome dress—shadow for substance. But these wretched proficients are evidently of the lower order of billingsgate, the very dregs of the school of slander. It was my original intention to have avoided any animadversions on the hireling Editors of the Western World, and to have pursued unremittingly and exclusively the real calumniators, but their labors in iniquity are so blended, that they can't be separated, and it is impossible to know, to which of the actors you are compelled to attach the greatest share of malice, weakness or infamy. By this time it is hoped that the true motives of the band of calumniators are sufficiently exposed, and an impartial public will shortly be prepared to pronounce the just sentence of detestation to their malicious attempt to assassinate the characters of our citizens.

Permit me, now Fellow Citizens, to recall to your recollection some circumstances, a knowledge of which I consider as essential to the proper investigation of the charges brought against the accused. It is to be observed, that through the whole history and development of the pretended conspiracy unfolded by the patrons of the Western World, that they have either through ignorance or design, intermixed the occurrences attendant on distinct and separate periods, and arising out of transactions totally unconnected. For the better understanding of this history, and to enable the reader to judge with more correctness as to the re-

al extent and application of the evidence offered to support the charge of conspiracy and treason, it will be necessary to take a slight view of the distinct events, out of which the pretended crimes have arisen. It has been before remarked, that a desire for self-government was the first and leading object, which occupied the attention and anxiety of the people of Kentucky, from the year 1784 until 1792. To the attainment of this desirable object, all our energies were directed, and it necessarily produced all those agitations, which its importance demanded—the conspiracy is supposed to have existed during the progress of our exertions for this object. But it will perhaps be seen on strict examination, that the evidence relates to transactions of a later date, and of different aspect. I have already attempted to shew, from the circumstances in which our country was placed at that period of revolution, or change of government, both as relating to the United States and to Virginia, that no project to dismember the Union did ever exist in Kentucky, and that from the peculiar situation of the persons implicated, that they never could have contemplated an event so preposterous. The Editors of the Western World have told us much about the attempts that were made to raise armies, and to appoint commanders, for the purpose of supporting the conspirators in their attempt to transfer the government of Kentucky to Spain—having made the charge, the Editors are determined that the evidence shall correspond. But it will perhaps be discovered on examination, that the ridiculous attempts that have been made in Kentucky to raise troops, were made for purposes openly avowed, and widely different from the object attributed to the accused. The writer of this essay, sincerely anxious that the truth should be attained respecting every important movement in our country, will suggest for the consideration of his Fellow Citizens, and the scrutiny of the deep searching and immaculate patrons of the Western World, the two following occurrences: The first was the attempt that was made about the year 1790 by the purchasers of a tract of country lying in the big bend of Tennessee, and in the vicinity of the muscle shoals. It is no doubt, within the recollection of many persons now in Kentucky, that those purchasers proceeded so far as to organize themselves as a body, and had induced many persons to join them—the object supposed to be in their view, was to force a settlement on their purchase, in despite of the savages, or any others. It is believed that Zachary Cox was the leader; but this project evaporated in a feeble attempt to raise some men—the bubble burst, and became a subject of ridicule. The other transaction alluded to, was the much famed Yazoo project, about the year 1790 the company whose infamous frauds have been so justly exposed by John Randolph, sent an agent by the name of Doctor O'Fallan into Kentucky for the purpose of procuring persons to force a settlement on the Yazoo river. To accomplish this iniquitous purpose, this O'Fallan endeavored to raise men, who were to defend the purchase thus fraudulently made of Georgia—being an artful and intriguing man, with some plausibility in his manners, and extravagantly profuse in his offers of land and emoluments, it is believed, that he induced several persons to embark in his scheme. He had address enough, it is supposed, to impose on some men of character, and it was feared that he might also impose on the unwary and cautious—to what extent he carried his impositions, it is difficult to determine; but it is believed that he made considerable offers of land to some leading characters, to induce them to favor his project, and to take the command of his motley troops. Whether he or his agents applied to General Scott, or to whom he did apply, to take command, is not known to the author of this address. But the folly and absurdity of the project, thus originating in fraud, became so obvious to the author, that he took some pains to convince the people of the danger of listening to the delusive tales of this agent of the Yazoo company. Among other means, he published in the Kentucky Gazette the following squib, in order to awaken the public attention.

"MR. BRADFORD,

"A disease of a very malignant nature has lately made its appear-

ance in our country, known by the name of the Yazoo fever, as it seems to threaten some injury to our Fellow Citizens, we conceive it our duty to communicate the opinion of the faculty with respect to it. They inform us, that upon full enquiry, they discover, amongst a variety of causes too, which in their opinion may be considered as the foundation of this malady. First, a former indulgence, in such refinements and luxuries as prove too relaxing for weak constitutions. A second cause, from whence this complaint is supposed to proceed, is an extreme agitation of the mind, arising from disappointment in the too eager pursuit of wealth. We are informed, that the symptoms are an uncommon uneasiness in the patient, and an excessive desire to wander, with intervals of extreme indecision.

The faculty have very humanely extended their information on

this subject, and have prescribed a mode of cure, which will no doubt prove beneficial to such persons as are afflicted with this painful disorder. They advise, that when the symptoms make their first appearance, that the patient avoid company, and devote his attention to the profession or calling to which he has been accustomed, and by industry and perseverance endeavor to remove the original causes; but if he discovers his attempts frustrated and the fever increases, the faculty then recommend, the variegated and delightful scenes, which a tour down the Mississippi, as low as the Walnut hills, would afford; that the patient continue there without disturbing his mind, by labors of the body during the months of July and August, and regale himself with

the pure air and delicious effluvia,

which circulate in the Mississippi bottoms after the waters have retired, and the sun has its full influence on the sediment; that the patient in order to ensure his cure, then perform a journey through the Indian nations to Cumberland, and from thence through the barrens of Green river to Kentucky. The faculty pledge their reputation, that if this mode is adopted, and this agreeable journey is performed, that a perfect cure of the Yazoo fever will be effected, and that there will be no danger of a relapse. It is hoped that the respectable characters who are ranked among the guardians of our country would carefully avoid this contagion, lest their influence might cause it to become fashionable, and they become the means of injury to the less informed part of the community.

October 23d, 1790.

Unimportant as this effusion of the moment, may appear at this day, it is believed it had a considerable tendency to open the eyes of the people, and it drew on the author the violent rebuke of O'Fallan. The consequence was, that very shortly after its publication, the Yazoo bubble burst in Kentucky, and vanished entirely—O'Fallan was denounced and proscribed by the executive of the United States, sunk into contempt, and shortly afterwards died. Thus ended this mushroom project, of carrying into effect the nefarious plans of the Georgia speculators. The remnants of that detested purchase still agitates the councils of the United States, altho' it is to be hoped it has nearly received its death blow, by the praise worthy efforts of our late Congress.

FROM THE WESTERN WORLD.

The Kentucky Spanish Association, Blount's Conspiracy, and General Miranda's Expedition.

[CONTINUED.]

No. XVII.

IN our last number we cited five different proofs of the several charges with which we had accused Gen. Wilkinson: It remains now that we should notice some others, which though not directly in point are strongly corroborative. There are six. The conversation which Newman held with Gen. Wells at Middletown and his after deposition as detailed in the third number. The communication of Mr. Stockdale relative to Newman and Gen. Wilkinson's letter to Stockdale offering a bribe of five hundred dollars published in the 16th number.

7th. The desertion of a man of the name of Stanford from Wilkinson's army to the Spanish Territory, whom Wilkinson afterwards created a deputy Commissary at Fort Adams. Our authority for this we shall also give to any person authorised by Gen. Wilkinson to that purpose.

With these proofs we close our evi-

dence against Gen. Wilkinson comman-

der in chief of the army of the United States. It may perhaps appear to some press the letters. Even Col. Muter that they are not conclusive proof of his guilt. They are however at least sufficient to warrant a public investigation into his actions, and this is all which the editors of a News-paper can hope to effect. It lies not with us to acquit or condemn; we can only point out the channel of acquittal or criminalization. If we have done this to the satisfaction of the citizens of Kentucky we rest satisfied and may lay in the language of Ju-nius "we have bound the victim and dragged him to the Altar."

The second person whom we have im-

plicated in the Kentucky Spanish Asso-

ciation is Mr. John Brown; with re-

spect to this gentleman, we shall first

quote the charges which were advanced

against him and then recapitulate our

proofs; those were contained in the

first number—and are as follows.

"First—With regard to the Spanish

negociation, Gardoque commenced his

operations by founding Mr. John Brown

member of Congress for Kentucky, then

in Philadelphia, on the subject. Hay-

ing discovered in Mr. Brown an accom-

modating disposition towards the Spanish

government; he directly made propo-

sals for a separation of the State of Ken-

tucky from the United States, in favour

of Spain, on the following conditions,

with an assurance to Mr. Brown, if

they were carried into effect, he him-

self should be raised to the dignity of a

Spanish Grandee, with a suitable pen-

on for life."

"1st. That the citizens would be

allowed the privilege of their laws, and

no restraint placed on them in respect

to religious matters.

"2d. That the navigation of the

Mississippi would be equally free to the

Kentuckians, as to the other subjects

of Spain."

"3d. That in all other matters, the

Kentuckians would remain on the same

footing with the Louisianians.

"Whether these terms were compli-

ed with on the part of Mr. Brown, we

know not; but they are narrated in a

letter written at that period to the Hon.

Samuel McDowell, of Jefferson county,

one of the circuit judges of the state.

Mr. Brown was then said to be on

the point of marriage with Mr. McDowell's daughter; and it is very natural to

suppose he should embrace this opportunity of informing his intended father-in-law of the honors which were to be

conferred on him at the Spanish court.

"Part of the scheme is also mentioned

in another letter written by Mr.

Brown about the same time, to Judge

Muter, the present president of the

Kentucky court of appeals. This letter

being obtained in some way from

Judge Muter, was published about 1789,

in the Kentucky Gazette: but only

one copy of that paper, we believe, is

at this day in existence. It is in the

possession of Col. Bullitt, of Jefferson

county. So careful were the members

of the Kentucky association, to have

every document which gave light to

their transactions destroyed.

With regard to Mr. Brown's letter

to Col. McDowell it can be proved notwithstanding the certificate which Col.

M'Dowell has given to the public, that

he has frequently declared its contents

to be more explicit than those contained

in the letter to Judge Muter. But

granting that it was similar to the one

written to Muter, the charge which we

advanced is most satisfactorily proved.

We never affirmed that Mr. Brown com-

plied with the terms of Gardoque—our

words are "Whether these terms were

complied with, on the part of Mr. Brown,

we know not." It will also be remarked

that these articles which constituted the

terms we mentioned although not speci-

fied in the letter of Mr. Brown to

Judge Muter, yet in reality have the

same tendency, and in substance are the

same as the commercial treaty for which

the friends of Mr. Brown contend.

2d. Proof. A copy of a letter from

Mr. Brown to General Garrard now in

the possession of Mr. John Waller of

Millersburg, in which Mr. Brown has

given his ideas of separation in a much

fuller manner than in his letter to Judge

Muter.

3d. Proof. The declaration of Go-

vernor Greenup to one of the Editors of

the Western World which declaration

has been fully proved by the testimony

of Mr. Hopkins.

4th. Proof. The correspondence be-

tween Col. Marshall and General Wa-

lington which Mr. A. K. Marshall has

promised to give to the public.

These are the only proofs which we

are at liberty at present to mention.

There are also, others which we have

every reason to believe will appear be-

fore the final close of the conspiracies

<p



"True to his charge—
He comes, the Herald of a noisy world,
News from all nations lumbering at his back."

LEXINGTON, NOVEMBER 10.

MARRIED.

In the county of Attakapas, on the 27th ultimo, his Excellency Wm. C. C. CLAIRBORNE, to the amiable Miss CLARICE DORALDS, daughter of Martin Doralds, Esq. Member of the Orleans Legislature for that county.—[Orleans Gaz.]

Motion in the Federal Court of the Kentucky District, against Aaron Burr, Esq. late Vice President of the U. S. for crimes of big misdemeanors.

On Wednesday, about noon, on the 5th inst. J. H. Davies, Esq. Attorney of the U. S. for the above district, rose, and addressing the court, said that he had a motion to make of the utmost magnitude, and extraordinary nature, and which regarded the welfare of the union at large. That the unhappy state of his health alone, had prevented him from making it on the first day of the term—that he should ground his motion on an affidavit which he would present to the court. He then made oath to the following affidavit:

UNITED STATES OF AMERICA,

Kentucky District, sc.

J. H. DAVIES, attorney for the said U. S., in and for said district, upon his corporal oath, doth depose and say, that the deponent is informed, and doth verily believe, that a certain Aaron Burr, Esq. late Vice President of the said U. S. for several months past, hath been, and is now engaged in preparing, and setting on foot, and in providing and preparing the means for a military expedition and enterprise within this district, for the purpose of descending the Ohio and Mississippi therewith, and making war upon the subjects of the king of Spain, who are in a state of peace with the people of these United States.—To wit: on the provinces of Mexico, on the westwardly side of Louisiana, which appertain and belong to the king of Spain, an European prince, with whom these United States are at peace.

And said deponent further saith, that he is informed, and fully believes, that the above charge, can be, and will be fully substantiated by evidence, provided this honorable court will grant compulsory process to bring in witness to testify thereto.

And the deponent further saith, that he is informed, and verily believes, that the agents and emissaries of the said Burr, have purchased up, and are continuing to purchase, large stores of provisions, as if for an army; which the said Burr, seems to conceal in great mystery from the people at large; his purposes and projects; while the minds of the good people of this district, seem agitated with the current rumour that a military expedition against some neighboring power, is preparing by said Burr.

Therefore, said attorney, on behalf of said U. S. pray that due process be granted to compel the personal appearance of the said Aaron Burr, in this court; and also of such witnesses as may be necessary on behalf of the said United States; and that the honorable court, will duly recognize the said Aaron Burr, to answer such charges as may be preferred against him in the premises; and in the mean time, that he desist and refrain from all further preparation and proceeding in the said armament within the United States, or the territories or dependencies thereof.

J. H. DAVIES, A. U. S.

Having read this affidavit, the attorney proceeded in the following words:

The present subject has much engaged my mind. The case made out is only as to the expedition against Mexico; but I have information on which I can rely, that all the western territories are the next object of the scheme—and finally, all the region of the Ohio is calculated as falling into the vortex of the new proposed revolution. What the practicability of this scheme is, I will not say; but certainly any progress in it, might cost our country much blood and treasure to un-

do; and, at the least great public forms, that the honorable David Seaton, has not been the most kindly agitation must be expected.

I am determined to use every effort in my power, as an officer and as a man to prevent and defeat it.

Having made the affidavit myself, I shall make no comments on its sufficiency.

In cases of felony the affidavit must be positive, as to a felony actually committed; but in a misdemeanor of this nature, where the sole object of the law is prevention, such an oath cannot be required: the thing must rest on belief as to the main point of guilt.

I could easily prove positively the purchase of supplies of various kinds, but this is no offence. Mr. Burr may purchase supplies—he may import arms—he may engage men,

which I am told is actually begun; yet all these things being proved, make no offence; neither can proof of the declarations of his known confidants, of which abundance might be had, attach guilt to him—it is the design, the intent with which he makes these preparations, that constitute his misdemeanor.

There must be a great exertion of supposition to imagine a case in which positive proof of the illegal design can be had—it must rest in information and belief.

The court ought therefore to issue a warrant or capias for the accused, and examine witnesses; when the court will be able to decide whether Mr. Burr should be bound to good behaviour on the premises, or recognized to appear here and answer an indictment.

His honour Judge Innes declined on account of the importance of the question, to give an opinion without taking time for consideration. This opinion he did not deliver until this morning about eleven, which opinion went to overrule the motion of the attorney for the United States, on the grounds, that the court was not invested with the power.

2d. If the court were, that the evidence was not sufficient.

The attorney then moved for a warrant to summon a grand jury, before whom he was to prefer an indictment against Col. Burr. This court immediately granted; and a warrant was given to Col. Crockett, the marshall of the district for that purpose. The Judge ordered his opinion to be entered on the record. A copy of it, therefore, shall be obtained and published in an extra half sheet in the beginning of the week, with the farther proceedings of the court on this important question.

(Western World.)

About one o'clock on Saturday, Col. Burrenered the Federal Court attended by General Posey, Genl. Hopkins, and Henry Clay, esq. and after having seated himself for a few minutes, rose and addressed the Court: He stated that he had been on the eve of his departure from Lexington, of which he had advised his friends, when he was informed that his name had been mentioned in that Court with reproach; that he immediately made it his business to hasten to Frankfort and present himself before the Court for investigation; that his business was of such a nature that a long detention would be injurious, and he wished to know from the attorney whether the investigation would be gone into without delay.

Mr. Davies observed, that in making his observations to the Court, he had used no reproachful terms of the private character of Mr. Burr, and he should avoid it during the investigation; that it would require some time to collect the witnesses which he wished to summon; but that no unnecessary delay should take place. Some further observations were made, and in the mean time, that he desist and refrain from all further preparation and proceeding in the said armament within the United States, or the territories or dependencies thereof.

J. H. DAVIES, A. U. S.

Having read this affidavit, the attorney proceeded in the following words:

NATCHEZ, October 14.

The detachment of troops from this territory, destined to Natchitoches, all except capt. Farar's company of dragoons, are on their return—having received orders from Gen. Wilkinson to that effect—the Spanish troops having all retired beyond the Sabine.

NEW-YORK, Oct. 15.

Captain Rosetter, who failed from Bristol on the first of September, in-

Feske, son of the lord chancellor, The alarm excited by the long and severe drought was felt by all, and States, had embarked with his suite forebodings of the most unpleasant board the Avon fleet of war, and kind induced; but thanks to an indulgent providence, such is our

viable situation in point of soil and climate that the most forbidding season has no other influence upon our harvest, than to reduce habitual profusion, down to temporary economy, without imposing distress or inflicting want upon any grade of society.—Such only, I feel a pleasure in saying, has been the effect of the last season on this favoured land.

Agriculture commerce and manufactures seem to be shaping their own courses and to be in a state of silent, but perceivable progression.—Ease and contentment appear to be the most prominent traits of the general complexion; and yours gentlemen is the pleasing task by legislative vigilance and scrutiny still farther to promote this happy state of things.—The adoption of a matured and highly perfected system of jurisprudence to this end, in that body, under the resolution

of last session, electing him to the office of Lieutenant Governor. His

opponents contended, that in consequence of his constituents failing upon that subject. I cannot help

to re-elect him to a seat in that house remarking that the crowded docket

his political existence expired at the last general election, and that the court of appeals, seem to indicate that the several statutes of jeofrall require revision and amendment.—It is certainly not the interest of the

community that the rights of individuals should be embarrassed by delay, encumbered with expence, and ultimately hang upon a point of technicality.

The finances of the government who formed the constitution, and for several years have been low—Its creditors have been paid with paper, which they have been constrained to pay off at a discount both injurious to themselves and disreputable to the government.—It will no doubt have its merited attention with you.

It is with pleasure I inform you that the Penitentiary establishment,

owing to the industry and vigilance and capacity of the present keeper and agent, bids fair to meet the most ardent anticipation of its humane projectors and advocates.—It

will not only answer its corrective purposes; but if arrangements be made for the constant supply of materials, it will by the labour of the convicts, in addition to the defrayment of its own expences, furnish a small annual revenue to the state.

Attempts on the part of the convicts to escape, and particularly an attempt made by some of them in the course of the last summer, to set fire to the buildings, seem strongly to invite legislative attention to penitentiary regulations, and to suggest the utility if not the necessity of providing an engine for the extinction of fire.—When the quantity and value of public buildings at this place are considered, and their liability to fire, the provision of an engine would seem indispensable; but these subjects I submit to your consideration.

Gentlemen, the unhappy and very perplexing condition of titles to lands in this country, under the laws of Virginia has been felt by almost every individual in the state.

It has been universally regretted and justly considered as the greatest and feared as the most interminable evil to which we are incident.—It

was with pleasure I saw it occupy the attention of the legislature at their last session; I hoped that their wisdom would have devised a cure for this inveterate malady;

for I think it not incurable.—But they rose without coming to any conclusion on the subject; they seemed to be deterred by the partial provision against any alteration in the land laws.—But when it is considered, that by the partition between this state and Virginia, upon that

subject, it is provided that those laws or any of them may be altered by the consent of the contracting states.—Would it not be well to pass a law, limiting this kind of dispute to a reasonable time, accompanied with legislative provisions, to obtain the consent of Virginia? The attempt is surely worth making.

Gentlemen, let me solicit your present are rather auspicious—

And that our reliance in either event under a benign providence, may this state. If the militia be as well be placed in the attachment of boast it is, the reliance of a repub-

lican citizens to their government, in every case of exigency, whether in their unanimity and co-operation, ther at home or from abroad—it is

so signally displayed in the revolution surely our soundest policy, to have and a redeeming energy in the texture of the general government; discipline and the duties of its officers

upon which as upon the rock of our every grade, as clear and as ex-

political salvation let us entirely plied as possible. It cannot be known at what moment even the

hours may be made to hang upon the efficiency of its militia.—Therefore the importance of its being well regulated must be obvious.

Conformably to the act of the last session of the General Assembly,

entitled "an act to amend the act incorporating the Ohio Canal Company," I subcribed on behalf of the state the number of shares directed by the tenth section of that act.

What progress or to what extent subscriptions have been obtained, I am not informed—Copies of the act, with the report of the managers ap-

pointed by a former law, with the map and notes have been transmitted to the several states and to congress, as directed by the resolution of the 21st. of December last, as has also the memorial on that subject,

which was submitted to the house of representatives of the United States on the tenth day of February last, but no decision had theron.

The original vouchers and other documents, filed in the Auditor's office, for military services paid by this state, have been transmitted to the city of Washington and put into a train for examination.

I conclude, gentlemen, with assuring you that my gratitude for restored health is heightened by the pleasure I feel in being able to make to you in person, the declaration of my ready and sincere co-operation in every measure of public utility.

CHRISTO. GREENUP.
Frankfort, Nov. 5th, 1806.

MACBEAN'S, LATE (WINTER'S) MILLS,

Near the Mouth of Tone's Creek,

HAVE undergone considerable repairs, and are now in good order to undertake MERCHANT or COUNTRY WORK. These excellent MILLS are too well known to need any observations, and Mr. James McCall, who is an experienced Miller, will give constant attendance, in order to give every satisfaction to the public.

Mr. Joel Boling, at the SAW-MILL, will generally have a flock of PLANK, on hand to supply Boats going down the River or others.

A quantity of WHEAT, is wanted to purchase.—Good encouragement will be given to a BOAT BUILDER, who will undertake to build on the flats. For terms apply to James M Call at the Griff-Mill, or to

W. MACBEAN, at the Madison

HEMP SPINNING FACTORY, on Silver Creek, where a quantity of UNDRESSED FLAX is wanted.

Letters left at J. & D. MacCoun's in Lexington, or at Thos. C. & G. Howard's, Richmond, will be attended to.

7 Nov. 1806. 6t

LOST

ABOUT two weeks ago, between Col. Hartt's and Mrs Beck's School, or borrowed from thence, the first volume of Pinkerton's Geography—whatever may find it, will be returning it to Col. Hartt's or Mrs. Beck's, for a great favor.

I WILL GIVE 15 3d PER pound, in cash, for clean combed Hog's Bristles at my shop, at the corner of Short and Croft streets, where I carry on the BRUSH making business. The bristles being scalded is of no injury to them. I still carry on the Wheel and Chair making business as usual.

ROBERT HOMES.
Nov. 10, 1806. w. 11 Feb.

NOTICE

IS hereby given to all persons who may have any claims against the estate of Edmund Fair, dec'd, to bring them forward as quick as possible, properly attested, in order that provision may be made to discharge the same, and all persons that are in debt to said estate are hereby requested to come forward immediately and make payment to

JAMES FAIR, Adm'r.
SAM'L BLAIR, Nov. 8, 1806. 3. 50.

St. ANDREW'S SOCIETY.

THE ANNIVERSARY DINNER, will be held at Mr. Wm. Satterwhite's Tavern, in Lexington, on Monday 1st December next. DINNER will be on table at half past two o'clock. The attendance of members is requested punctually at 12 o'clock. By order of the President.

W. MACBEAN, Sec'y
August 20. 1806.

Clarke County, to wit.

TAKEN UP by John Warren, living near Winchester, one

SORREL GELDING, two or three years old last spring, about 13 1-2 hands high, with a blaze face, 3 white feet, branded on the near shoulder thus D D apprais'd to 40 dollars.

A copy, Telle
THOS. SCOTT, j. p. c.

AUGUST 1st. 1806.

TAKEN UP by Joseph Taylor, sen. living in Woodford county, near Farmer's mill, a

Bay horse, near fourteen hands high, about nine years old, both hind feet nearly white, and some white on the off fore foot, has a scar on each side appears to have been done by the hind part of a pack saddle, with some other saddle spots, has four curls in his forehead, branded on the near buttock with something appearing at present like a T. Apprais'd to 55 dollars. Certified under my hand this 8th day of October, 1806.

RICH'D. M. THOMAS, J. P.

ROBERT HARRIS JUN.

D R U G G I S T,

No. 30 Market street, between Front & Second streets, Philadelphia,

H A S received of late arrivals, a fresh supply of Drugs and Medicines—amongst

which are—

700 lbs. Camphor

10 lhds. vials, ass'td.

2000 lbs. Peru bark

15 crates apoth. glass

4000 bottles fresh Cas-

tor oil

6700 Canella Alba

150 wt. gamboge

50 doz trusses

1000 wt. rhubarb

20 casks Glauber salts

600 wt. arnotta

100 lbs. opium

300 wt. white wax

2500 lbs. Gentian root

2500 wt. antimony

with every article in the Drug line. Cuntry

merchants and others, who deal in drugs, will

be supplied on liberal terms at a long credit.

Any orders from his friends in the Western

Country will be received with gratitude and ex-

ecuted with punctuality and dispatch.

ALL those indebted to the estate of Wm Scott Fuller, deceased, are earnestly request-

ed to come forward and make immediate

payment to Samuel Scott, who is duly author-

ized to receive the same; and all those who

have any demands against the same, are re-

quested to come forward with their accounts

properly adjusted for settlement, as there

will be no longer indulgence given by

Samuel Scott.

Living on the Town-Fork, seven miles be-

low Lexington.

GREAT BARGAINS.

The subscribers offer for sale on very low terms

the following valuable

TRACTS OF LAND, to wit—

ONE of 764 acres adjoining the lands of

John Meaux esq. in Mercer county, on

Salt river, with about 150 acres of cleared land,

under good fence and in complete repair, with an

orchard of upwards of 100 bearing apple

trees, a good square log-house, with joint shingled roof and other convenient buildings—also,

275 acres adjoining, with about 50 acres of

cleared land, and fencing in good repair—also,

195 acres in Franklin county, on Salt river,

adjoining the lands of Lewis Castlemay and

John Lightfoot esqrs. with a small improve-

ment—also,

200 acres adjoining below on the river—also,

202 acres adjoining—also,

250 acres adjoining, including the mouth of

Hammond's creek, with a considerable im-

provement—also,

161 acres adjoining the same on Fox creek

—also,

150 acres adjoining above on the creek—

also,

157 acres adjoining the same, on a branch

of Fox creek—also,

211 3/4 acres adjoining, between Fox creek

and Salt river.

The above tracts of land are well watered,

and contain several valuable mill seats. A

part cash will be required from purchasers, and

a reasonable credit given for the balance. For

terms apply to Samuel Macoun, Mercer county,

near Delany's ferry, or to the subscribers

in Lexington.

J. & D. Macoun:

September 9th, 1806.

JUST IMPORTED.

AND now opening by DAVID WILLI-

AMSON, at his

GROCERY STORE,

on Mill-street, next door but one to Mr. Craig's,

and nearly opposite Mr. Gray's store, a hand-

some assortment of GROCERIES, &c. a-

mongst which are

Jamaica spirits, French Brandy,

Holland gin, Madeira, Sherry, & Port wines, 1st qual.

Bottled porter, Spanish segars,

Lime juice, Imperial,

Hyson, Young hyson,

Hyson skin, Coffee,

Chocolate, Loaf,

Lump, & Muscovado Sugars,

Molasses, Raisins,

He also has a quantity of old Whiskey, and

three years old Peach Brandy.

The whole of the above articles will be sold

unusually low for cash.

Lexington, October 29.

A HANDSOME SEAT FOR SALE.

150 Acres of first rate Land, ly-

ing on Boone's creek, Clarke county,

about 11 miles east of Lexington, being

part of the late Col. David Robinson's

military Ryefield tract, about 65 acres

cleared, and under tolerable good fence,

with three never failing springs of excel-

lent water, and flock water in abundance

the season throughout; a good peach

orchard, and two dwelling houses, with

other cabbins adjoining. Gentlemen

willing to purchase, may know the terms

by applying to the subscriber on the premises.

WM. ROBINSON JR.

WOODFORD County, Aug. 16, 1806.

TAKEN UP by Joseph Sellars, near

Wilkins's mill, a

Brown Mare,

fourteen hands and half high, five or

six years old, off hind foot white, some

white on the other, some white hairs in

the forehead, has a shaking in one of the

hind legs, docked, but no brands per-

ceivable—appraised to 40 dollars. Also

A Sorrel Horse,

thirteen and half hands high, t' live

or thirteen years old, a blaze face, a

hole in the upper corner of one of the

eye lashes, both hind feet white, docked

but no brands preceivable—appraised to

35 dollars. Certified under my hand,

this 22d day of October, 1806.

R. M. THOMAS, J. P.

TAKEN up by Henry Colhurst, living in

Lexington, one Bay HORSE, 6 years old, 14

hands 3 inches high, branded on the left

shoulder with a stirrup, some saddle spots—

Appraised to 45 dollars.—This stallion fol-

lows some travellers from the Dry Ridge to

Cincinnati road.

CH. HUMPHREYS,

Nov. 4th 1806. * 3t.

BILLS OF LADING

For sale at this office.

TO SOAR ALLOFT ON FANCY'S WING."

From the Columbian Centinel.

As showers to the thirsty soil;
As sun-shine to the thrifty bee;
As rest to nature worn with toil,
So dear is FRIENDSHIP's smile to me.

As mariners by tempests toss,
Buffet the waves in wild despair;
But landed on the wish'd-for coast,
Give all their terrors to the air:

So will my tempest-beaten breast,
Which never knows a gleam of joy,
Forget its cares and sink to rest,
Chear'd by a gleam from FRIENDSHIP's eye.

All other wishes I resign;
I ask not honor, fame, or wealth;
So heav'n preserve that FRIENDSHIP's mine,
Welcome as light, and dear as health.

"TRIFLES LIGHT AS AIR"

A witty reply to Ld. Kenyon, (ver-
sified)

Before LORD KENYON, S. book-binder bow'd
As witness sworn that T. his hand had vow'd

To blooming Kate in promise solemn

I first said S. induc'd the courtship—

Then it appears repl'd his worship

You meant to bind'm in one volume.

THE following curious circumstance occur-

red yesterday at Geo. Eye's yard Kensington.

On hearing down the ship Pennsylvania

Packet, lately from Canton in order to discover

a small leak, which she had experienced on her

passage home, it was found that she had been

struck about six feet below the heads, by a

Sword Fish, which had driven its tusk or

sworn through the copper sheathing and bot-

tom plank, to the ceiling inside; and being un-

able to draw it out again, had left it remaining

in the bottom, and broken short off outside.

The force with which it was driven in, was so

great as to splinter the plank, and cause the

leak. Had the sword been withdrawn, his

probable the ship would have made more wa-

ter than could have been lifted by the pumps.

Part of the sword was cut off in extricating it,

the remainder measures ten inches long, and

two inches in diameter.

[Phil. Paper.

The ingenious language in which the follow-

ing extract is couched, cannot but command